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FISH & NEAVE

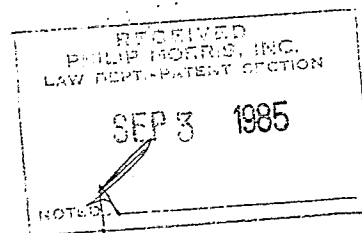
875 THIRD AVENUE, NEW YORK, N.Y. 10022

C O P Y

August 28, 1985

BY HAND

Lee Pollak, Esq.
Senior Assistant General Counsel
Philip Morris Incorporated
120 Park Avenue
New York, New York 10017



Philip Morris
(Barclay Patents - Switzerland)

Dear Lee:

I enclose a copy of a letter, dated August 26, 1985, which I received from Dr. Thomann. In it, he addresses the possibility of bringing a nullity proceeding against the B&W patent.

As you will see, Dr. Thomann has not concluded his work concerning the possibility of asserting Philip Morris patents against B&W. I shall forward his opinion when I receive it.

Please let me know if you wish to discuss this.

Sincerely yours,

W. Edward Bailey

WEB/lms
Enclosure

cc: ✓ Arthur I. Palmer, Jr., Esq.
(with enclosure)

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